

# Memorandum



**Date:** September 20, 2011

**To:** Charles Danger, P.E., Interim Director  
Department of Planning and Zoning

**From:** Jose Gonzalez, P.E., Assistant Director  
Permitting, Environment and Regulatory Affairs

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over a light blue circular stamp that contains the text "Permitting, Environment and Regulatory Affairs".

**Subject:** #Z2011000037-3<sup>rd</sup> Revision  
King Metal Recycling, LLC  
8600 N.W. 36<sup>th</sup> Avenue  
District Boundary Change from GU to IU-3, Special Exception to Permit a  
Steel Fabrication Plant Spaced Less than Required from RU Zoning District  
and to Permit the Steel Fabrication Plant Setback Less than Required from  
Property Lines  
(GU) (2 Acres)  
09-53-41

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The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and it meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

## Potable Water Service

Public water can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system shall be required in accordance with the Code requirements.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required for this proposed development order.

## Wastewater Disposal

The closest public sanitary sewer line is located approximately 125 feet from the site. Consequently, the subject property would have to be served by a public water supply system and a septic tank.

Section 24-43.1(4) of the Code prohibits the approval of any building permit, certificate of use and occupancy, municipal occupational license, platting action or zoning action for any nonresidential land use served or to be served by a septic tank as a means for the disposal of domestic liquid waste, if the proposed land use generates liquid waste other than domestic sewage. There are activities that are inherent to land uses permitted in the proposed zoning classification that generate liquid waste other than domestic sewage.

Section 24-43.1 (6) of the Code prohibits the approval of any building permit, certificate of use and occupancy, municipal occupational license, platting action or zoning action for any nonresidential land use served or to be served by any liquid waste storage, disposal or treatment method other than public sanitary sewers or any source of potable water supply other than a public water main. The same Code Section also provides that nonresidential land uses served by a septic tank and public water may only be approved, if among other requirements, the proposed land use does not generate liquid waste other than domestic sewage and complies with all the requirements of Section 24-43.1 (4) of the Code.

In as much as the zoning request did not comply with the above mentioned Code sections, the property owner applied for and obtained an extension of time from the Environmental Quality Control Board (EQCB) to allow the use of public water supply and a septic tank for a resource recovery facility, subject to the conditions stated in Board Order No. 10-5. As per the recent resubmittal, the applicant is clarifying on site plan "no outside storage". This request would be in compliance with Condition No. 8 of said EQCB Board Order.

#### Stormwater Management

A Class VI permit is required for the construction and operation of the proposed surface water management system. This permit shall be obtained prior site development, or public works approval of paving and drainage plans. The applicant is advised to contact the Water Control Section for further information regarding permitting procedures and requirements.

#### Wetlands

The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### Tree Preservation

The proposal will not impact tree resources. Please be advised that a Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Be advised that any type of construction, including driveways, septic tanks, fences, pipes, buildings, roads, polls etc., should be at least 12-14 feet from specimen (trunk diameter 18 inches or greater) and non specimen trees, also during construction 10-12 feet barriers should be placed around specimen trees and 6-8 feet barriers around non specimen trees. If this distance is not maintained the root systems of the trees may be affected, thereby causing the effective destruction of the trees. In the event that the proposed construction causes the effective destruction of the trees on site, it would constitute a violation of Section 24-49 of the Code. Appropriate actions must be taken to not adversely impact tree resources on the referenced property.

#### Enforcement History

The subject properties have two (2) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

### Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

Cc: Eric Silva, Permitting, Environment and Regulatory Affairs